

Michael W. Melendez
Nevada Bar No. 6741
COZEN O'CONNOR
3735 Howard Hughes Parkway, Suite 200
Las Vegas, NV 89169
Tel: 702.470.2330
Fax: 702.470.2370
Email: mmelendez@cozen.com

Attorneys for Defendant and Counter Claimant,
ACE AMERICAN INSURANCE COMPANY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NEVADA TITLE COMPANY, a Nevada
corporation,

Plaintiff,

v.

ACE AMERICAN INSURANCE COMPANY, a
Pennsylvania corporation,

Defendant.

Case No. 2:18-cv-01823-GMN-(VCF)

**STIPULATION AND
(PROPOSED) ORDER
RE SUBMISSION OF REVISED
PROPOSAL FOR DISCOVERY PLAN
AND SCHEDULING ORDER
PENDING MEDIATION EFFORTS**

(Fourth Request)

AND RELATED CROSS-ACTIONS.

WHEREAS, plaintiff and counter-defendant Nevada Title Company and defendant and cross-claimant ACE American Insurance Company (collectively, the "Parties") are currently mediating their dispute before Judge West's Edwin A. Oster, Esq.;

WHEREAS, mediation could result in resolution of the dispute between the Parties or a narrowing of the issues;

WHEREAS, counsel for NTC reside in California and Nevada and counsel for ACE reside in California and Pennsylvania, and the witnesses reside and do business in various states across the country;

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1 WHEREAS, the COVID-19 pandemic has resulted in a national state of emergency, states of
 2 emergency in Nevada and California, and orders requiring citizens to stay in their homes or places of
 3 residence except to perform or obtain essential services;

4 WHEREAS, even preparation of the Parties' designated witnesses presents logistical and
 5 other problems relating to travel, exposing the Parties' witnesses and counsel to heightened COVID-
 6 19 risks;

7 WHEREAS, the United States District Court, District of Nevada, has issued several
 8 temporary general orders regarding COVID-19, which, among other things, continued jury trials and
 9 provided judicial discretion to continue individual cases;

10 WHEREAS, the Parties wish to avoid spending unnecessary time and money in the litigation,
 11 including on discovery and motion practice, while they remain engaged in mediation and continue to
 12 address the COVID-19 situation;

13 WHEREFORE, the Parties STIPULATE through their counsel of record that:

- 14 1. The Court VACATE the dates and deadlines in the operative Discovery Plan and
 15 Scheduling Order [Dkt. 71];
- 16 2. While continuing the mediation with Mr. Oster's active participation, on or before
 17 September 25, 2020, the Parties shall submit to the Court a further report of the progress
 18 of the ongoing mediation, or if the mediation has failed to result in settlement, the parties
 19 will provide the Court a proposed revised Discovery Plan and Scheduling Order.

20 It is so STIPULATED.

21 Dated: August 26, 2020

LAW OFFICES OF STEVEN J. PARSONS

22 By: /s/ Steven J. Parsons

23 Steven J. Parsons
 24 Nevada Bar No. 363
 10091 Park Run Dr Ste 200
 25 Las Vegas, NV 89145-8868
 Tel: 702.384.9900
 26 Fax: 702.384.5900
 Email: Steve@SJLawyer.com

27 Attorneys for Plaintiff and Counter-defendant
 28 NEVADA TITLE COMPANY

1 Dated: August 27, 2020

COZEN O'CONNOR

2
3 By: /s/ Michael W. Melendez

Michael W. Melendez
Nevada Bar No. 6741
3735 Howard Hughes Parkway, Suite 200
Las Vegas, NV 89169
Tel: 702.470.2330
Fax: 702.470.2370
Email: mmelendez@cozen.com

7 Attorneys for Defendant and Counter-Claimant
8 ACE AMERICAN INSURANCE COMPANY

9 ORDER

10 Upon the foregoing STIPULATON of the Parties, it is hereby ORDERED:

- 11 1. That the dates and deadlines in the operative Discovery Plan and Scheduling Order
12 [Dkt. 71] are hereby VACATED;
- 13 2. The Parties shall submit to the Court on or before September 25, 2020 a further status
14 report on the ongoing mediation or if the mediation has failed to result in settlement, the
15 parties will provide the Court a proposed revised Discovery Plan and Scheduling Order.

16 It is so ORDERED.

17 Dated: 9-2-2020



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19 U.S. MAGISTRATE JUDGE